

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-3 and 5-7 are pending. Claims 4 and 8 have been canceled without prejudice and disclaimer of subject matter. Claims 1-2 and 5-6, which are independent, are amended in this paper. Support for this amendment is provided throughout the Specification, specifically at pages 12 and 24-25.

No new matter has been introduced. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §102(e) and §103(a)

Claims 5 and 6 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,675,385 to Wang (hereinafter, merely “Wang”).

Claims 1-3 and 7 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Wang in view of U.S. Patent No. 5,930,493 to Ottesen et al. (“Ottesen”).

III. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

“A transmitting apparatus for transmitting contents data and corresponding meta data over a network, comprising:

...wherein the receiving apparatus updates the meta data schema according to a user's favorite and transmits the updated meta schema to a transmitting apparatus before receiving the meta data so that the meta data is selectively delivered based on the updated meta data schema.” (Emphasis added)

Applicants respectfully submit that none of the cited references teach or suggest

the above identified feature of claim 1. Specifically, none of Wang and Ottesen, considered either alone or in combination, teach or suggest wherein the receiving apparatus updates the meta data schema according to a user's favorite and transmits the updated meta schema to a transmitting apparatus before receiving the meta data so that the meta data is selectively delivered based on the updated meta data schema, as recited in claim 1.

Claim 1 recites updating the meta data schema by a receiving apparatus before delivering the meta data so that the meta data is selectively delivered. Wang is directed to delivering EPG using web page. Wang fails to disclose or teach updating the meta data schema by a receiving apparatus.

For at least the foregoing reasons, Applicants respectfully submit that claim 1 is patentable.

Claims 2 and 5-6 are similar, or somewhat similar, in scope to claim 1, and are therefore patentable for similar or somewhat similar reasons.

IV. DEPENDENT CLAIMS

Claims 3 and 7 in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

CONCLUSION

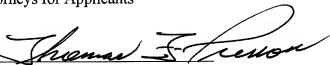
In view of the foregoing amendments and remarks, Applicants respectfully submit that all of the claims are in condition for allowance and request early passage to issue of the present application.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any
overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 

Thomas F. Presson
Reg. No. 41,442
Ph: (212) 588-0800
Fax: (212) 588-0500